

IN THE UNITED STATES DISTRICT
COURT FOR THE MIDDLE DISTRICT OF ALABAMA

2006 JUN 19 A 10 35
NORTHERN DIVISION

TONY MURRAY,
PLAINTIFF

VS.

VELINDA WEATHERLY,
DEFENDANT,

CASE NO. 2:05-CV-1240-
MEF

MOTION AND OBJECTION
PURSUANT TO THE MAGISTRATE JUDGE

ORDERED THAT:

1. ON OR BEFORE JUNE 15, 2006 PLAINTIFF SHALL SHOW CAUSE WHY THIS CASE SHOULD NOT BE DISMISSED FOR HIS FAILURE TO COMPLY WITH THE ORDERS OF THIS COURT AND HIS FAILURE TO ADEQUATELY PROSECUTE THIS ACTION, (DOC # 10-1)
DATED ON 06-06-06.
2. The objection from PLAINTIFF MURRAY, PLAINTIFF IS AT THE SAME ADDRESS:
TONY MURRAY # 129256
EASTKING CORRECTIONAL FACILITY
200 WALLACE DR, CLIO, AL 36017-2615
3. PLAINTIFF MURRAY, DID FILED THIS 42 U.S.C. 1983 ACTION ON DECEMBER 30, 2005 (DOC # 10-1)

PLAINTIFF MURRAY MOTION THIS HONORABLE COURT
TO RECONSIDERATION PLAINTIFF ADDRESSED THAT
PLAINTIFF IS STILL AT THE SAME ADDRESSED
AND THIS HONORABLE COURT CAN PROCEED WITH
PLAINTIFF (CASE NO. 2:05-CV-1240-MET),
THE PLAINTIFF MURRAY RECEIVED THE FOLLOWING DOCUMENTS
DOC #: 6-1; DOC #: 8-1; DOC #: 6-1 WAS FILED;
03-02-06 P. 1 OF 1,

THE MAGISTRATE JUDGE DID REVIEWED THE SPECIAL
REPORT AND SUPPORTING EVIDENTIARY MATERIALS FILED
BY DEFENDANT DOC #: 5-7; AND DETERMINED THAT
PLAINTIFF MUST FILE A RESPONSE IN OPPOSITION TO SUCH
PLEADING, THE MAGISTRATE JUDGE ORDERED THAT ON OR
BEFORE MARCH 27, 2006 PLAINTIFF SHALL FILE A RESPONSE
TO THE WRITTEN REPORT, DOC #: 6-1

PLAINTIFF FILED HIS MOTION AND OPPOSITION TO
DEFENDANT SPECIAL REPORT ON OR ABOUT MARCH 23, 2006,
AND SERVED UPON THE CLERK OF THE UNITED STATES
DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION P.O. BOX 711 MONTGOMERY, AL 36101, AND
PLAINTIFF DID SERVED UPON THE BOARD AND PAROLEES
BY MAILING ~~IN~~ BOTH COPIES IN EASTVIEW CORRECTIONAL
Facility POST OFFICE ON OR BEFORE MARCH 23, 2006,
Addressed;

GREGORY O. GRIFFIN, SR. STATE BAR # ASB-4358 -
D 63 F CHIEF COUNSEL, AND

ALABAMA BOARD OF PARDONS AND PAROLES POST
OFFICE BOX 302405 301 S. UNION STREET
MONTGOMERY, AL 36130

PLAINTIFF MAKE THIS MOTION AND REQUESTS
THIS HONORABLE COURT TO GRANT HIM A
EVIDENTIARY HEARING ON THE GROUNDS THAT THE
DEFENDANT FAILS TO SUBMIT AFFIDAVIT, THE MAGISTRATE
JUDGE order the defendant weatherly before
march 16, 2006 The defendant shall file an
affidavit regarding Her knowledge of the
SUBJECT MATTER OF THE INSTANT COMPLAINT and
ANY EVIDENTIARY material she deems PERTINENT IN
RELATION THERE TO. (Doc #: 6-1) 03-02-06
P. 1 OF 1.

IF THIS HONORABLE COURT HAS NOT RECEIVE, THE
PLAINTIFF MOTION AND OPPOSITION TO DEFENDANT
SPECIAL REPORT, "PLEASE". PLAINTIFF REQUEST AND
ASK THIS HONORABLE COURT TO GRANT TIME TO
REANSWERED, THE DEFENDANT SPECIAL REPORT AGAIN,

Tony M. Murray
TONY MURRAY # 129256

CERTIFICATE OF SERVICE

I, HEREBY CERTIFY THAT I SERVED UPON THE DEFENDANT ATTORNEY AND SERVED UPON THE DISTRICT COURT CLERK by placing in Easterling Correctional Facility Post Office Box on this day of 17 JUNE 2006

Properly Addressed:

Clerk of the United States

District Court P.O. Box 711 Montgomery

AL 36101-0711 - AND

MAIL TO THE DEFENDANT ATTORNEY HON. GREGORY O. GIFFIN
SV. STATE BAR # ASB-4358 - D 63 F AND HON.
HUGH DAVIS DEPUTY ATTORNEY GENERAL STATE BAR #
ASB 4358 - D 63 F ALABAMA BOARD OF PARDONS AND
PAROLES P.O. OFFICE BOX 302405 301 S. UNION
ST. MONTGOMERY AL 36130

Tony M. Murray
TONY MURRAY # 129256